

1 CLARK COUNTY SCHOOL DISTRICT
2 OFFICE OF THE GENERAL COUNSEL
3 CRYSTAL J. HERRERA, ESQ.
4 Nevada Bar No. 12396
5 5100 West Sahara Avenue
6 Las Vegas, Nevada 89146
7 Telephone: (702) 799-5373
8 Facsimile: (702) 799-7243
9 Herrec4@nv.ccsd.net
10 *Attorney for Defendants*

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DESHUN THOMAS, individually, and as Natural Parent and Guardian for L.J., and KRISTIN WOODS as Co-Guardian Ad Litem for L.J.,

Plaintiffs,

v.

BEVERLY DADE, individually, and in her official capacity; RICHARD FULLER, individually, and in his official capacity; PATRICIA SCHULTZ, individually, and in her official capacity; PAT SKORKOWSKY, individually, and in his official capacity; CLARK COUNTY SCHOOL DISTRICT, a Political Subdivision of the State of Nevada, DOE TEACHER'S AIDE, in his/her official capacity; DOES I through X, inclusive; and ROES I though X, inclusive,

Defendants.

Case No. 2:19-cv-01019-JAD-BNW

**STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES
(THIRD REQUEST)**

Pursuant to Local Rules IA 6-1 and 26-4, Plaintiffs Deshun Thomas, individually, and as Natural Parent and Guardian for L.J., and Kristin Woods as Co-Guardian Ad Litem for L.J. (collectively, "Plaintiffs"), and Defendants Clark County School District, Richard Fuller, Beverly Dade, and Patricia Schultz (collectively, "Defendants"), by and through their attorneys of record,

1 hereby stipulate to amend the Discovery Plan and Scheduling Order (ECF No. 51) by extending
2 the outstanding discovery deadlines for a period of forty-five (45) days. This is the third request
3 for an extension to the discovery plan and scheduling order in this matter. The requested
4 extension is sought in good faith and not for purposes of undue delay. The request to extend the
5 outstanding discovery deadlines is subject to the good cause standard as the request is made
6 within twenty-one (21) days prior to the expiration of the subject deadlines. LR 26-4.

7 **I. DISCOVERY THAT HAS BEEN COMPLETED**

8 A. The parties served initial disclosures pursuant to FRCP 26(a)(1) on August 23,
9 2019;

10 B. Defendants supplemented their initial disclosures on January 22, 2020; February
11 10, 2020; and February 28, 2020.

12 C. Plaintiffs supplemented their initial disclosures on February 3, 2020; and April
13 20, 2020.

14 D. On September 17, 2019, Defendants propounded written discovery requests upon
15 Plaintiffs;

16 E. Plaintiffs responded to Defendants' written discovery requests on October 21,
17 2019;

18 F. Plaintiffs noticed the depositions of Defendants Beverly Dade, Richard Fuller and
19 Patricia Schultz, on December 20, 2019;

20 G. Defendants noticed the deposition of Plaintiff, Deshun Thomas, on February 20,
21 2020;

22 H. On February 27, 2020, Plaintiffs propounded written discovery requests upon
23 Defendants.

24 I. Defendants responded to Plaintiffs' written discovery requests on April 29, 2020.

25 ...

26 ...

27 ...

28 ...

1 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

- 2 A. Depositions of the parties;
- 3 B. Depositions of percipient and lay witnesses;
- 4 C. Designation of initial experts and rebuttal experts;
- 5 D. Depositions of expert witnesses;
- 6 E. Any other discovery permitted by the Federal Rules of Civil Procedure and
7 orders of the Court.

8 **III. REASONS FOR EXTENSION TO COMPLETE DISCOVERY**

9 The parties agree that this extension is necessary to allow both parties time to complete all
10 appropriate discovery. More specifically, the parties recently requested a brief extension of the
11 discovery deadlines to reschedule and take the depositions of Beverly Dade, Richard Fuller,
12 Patricia Schultz, and Deshun Thomas. At the time, it was anticipated the depositions could be
13 completed by April of 2020.

14 Since making the request, there has been a harsh turn of events in the nation. The
15 COVID-19 pandemic has caused many businesses to close, including schools, and individuals to
16 self-quarantine. This disruption has rendered it problematic for the parties to reschedule and take
17 depositions in a safe and effective manner. It has also caused delays in receiving and producing
18 documents and evaluating the necessity for experts. Accordingly, the parties seek additional time
19 to complete discovery.

20 There is no danger of prejudice to either party in granting this extension. Further, the
21 length of the delay is minimal given the discovery that remains and the uncertainty still associated
22 with the COVID-19 pandemic. Accordingly, all elements that the Court considers in evaluating
23 the good cause standard are met.

24 ...

25 ...

26 ...

27 ...

28 ...

1 **IV. PROPOSED DISCOVERY PLAN**

2 The parties agree to extend all the discovery deadlines in this case, as set forth below:

<u>Discovery</u>	<u>Current Date</u>	<u>Proposed Date</u>
Discovery cut-off	July 2, 2020	August 17, 2020
Initial expert disclosures	May 4, 2020	June 18, 2020
Rebuttal expert disclosures	June 3, 2020	July 17, 2020
Interim status report	May 4, 2020	Not applicable (LR 26-3 deleted)
Dispositive motions	July 31, 2020	September 16, 2020
Joint pre-trial order	September 2, 2020 (if dispositive motions are filed, 30 days after the entry of the court's ruling on said motions)	October 16, 2020 (if dispositive motions are filed, 30 days after the entry of the court's ruling on said motions)

14 Dated: May 4th, 2020.

Dated: May 4th, 2020.

15 GANZ & HAUF

CLARK COUNTY SCHOOL DISTRICT
OFFICE OF THE GENERAL COUNSEL

17 By: /s/ Marjorie Hauf

18 Marjorie Hauf, Esq. (#8111)
Cara M. Xidis, Esq. (#11743)
8950 W. Tropicana Ave. #1
Las Vegas, NV 89147
Attorney for Plaintiffs

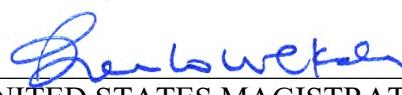
By: /s/ Crystal Herrera

Crystal J. Herrera (#12396)
5100 West Sahara Avenue
Las Vegas, Nevada 89146
Attorney for Defendants

22 **ORDER**

23 **IT IS SO ORDERED.**

24 DATED this 5th day of May, 2020.

25
26
27 
UNITED STATES MAGISTRATE JUDGE
28